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*ATTORNEYS FOR AGTEXAS FARM CREDIT SERVICES,  
AGTEXAS, PCA AND  
THORLAKSON DIAMOND T FEEDERS, LP*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

IN RE:	§	
	§	
MCCLAIN FEED YARD, INC., et al., <sup>1</sup>	§	CASE NO. 23-20084-RLJ-7
	§	
Debtors.	§	Jointly Administered

**AMENDED AND RESTATED WITNESS AND EXHIBIT LIST  
OF AGTEXAS FARM CREDIT SERVICES, AGTEXAS, PCA, AND  
THORLAKSON DIAMOND T FEEDERS, LP**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

*AGTEXAS FARM CREDIT SERVICES, AGTEXAS, PCA, AND THORLAKSON  
DIAMOND T FEEDERS, LP* (“Thorlakson”) files this Amended and Restated Witness and Exhibit  
List for the hearing continued and reset for September 11, 2024 on Rabo’s Motion for Relief from  
Automatic Stay or, Alternatively, for Abandonment of Certain Cattle and Proceeds of Cattle [ECF  
No. 192] and would show the Court as follows:

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<sup>1</sup> The Debtors in these chapter 7 cases are: McClain Feed Yard, Inc. (Case No. 23-20084-RLJ), McClain Farms, Inc. (Case No. 23-20085-RLJ), and 7M Cattle Feeders, Inc. (Case No. 23-20086-RLJ)

**I.**  
**WITNESS LIST**

Thorlakson expects to call some or all of the following witnesses:

1. Tom Thorlakson
2. Lindsey Cybulskie;
3. TSCRA Rangers;
4. Colton Young;
5. Garrett Robinson; and
6. All witnesses designated or called by other parties.

Thorlakson further reserves the right to call rebuttal or impeachment witnesses.

**II.**  
**EXHIBIT LIST**

- A. Records from Lot 3651
- B. Emails from Glenn Karlberg to Kent Ries (Trustee) dated May 9, 2023; Texas & Southwestern Cattle Raisers Association (TSCRA) Law Enforcement Division Report of Investigation dated May 8, 2023 regarding 13 head of cattle belonging to Tom Thorlakson; TSCRA Certificate of Inspection dated April 19, 2023 for AgTexas (Tom Thorlakson); TSCRA Certificate of Inspection for Thorlakson Diamond T Feeders for 288 head (date is not legible); TSCRA Law Enforcement Division Report of Investigation dated April 20, 2023 related to 288 head of cattle belonging to Thorlakson Diamond T Feeder[s], LP
- C. Check stub dated January 5, 2024 from Keeling Cattle Feeders made to AgTexas representing proceeds from Lot 1854; Cattle Shipment Advice from Keeling Cattle Feeders dated December 14, 2023 for Lot 1854; Keeling Cattle Feeders Performance Record for Lot 1854; Keeling Cattle Feeders Comprehensive Yard Sheet dated August 23, 2023
- D. Email dated April 24, 2023 giving notice to Trustee of cattle at Keeling Cattle Feeders
- E. Records from Thorlakson Lots UN lot 5, UN lot 6, Lot 1511, Lot 1528
- F. Intercreditor Agreement
- G. Declaration of Tom Thorlakson
- H. UCC Financing Statement filed on January 27, 2021 perfecting AgTexas Farm Credit Services' security interests in the collateral
- I. Promissory Note dated January 25, 2021 in the principal amount of \$3,000,000.00 executed by Thorlakson Diamond T Feeders, LP
- J. Promissory Note dated June 3, 2021 in the principal amount of \$4,500,000.00 executed by Thorlakson Diamond T Feeders, LP
- K. Promissory Note dated March 8, 2022 in the principal amount of \$7,500,000.00 executed by Thorlakson Diamond T Feeders, LP (the "March 8, 2022 Note")
- L. Promissory Note dated January 25, 2024 in the principal amount of 4,625,000.00 executed by Thorlakson Diamond T Feeders, LP (the "January 25, 2024 Note")

- M. Promissory Note dated August 20, 2024 in the principal amount of \$2,725,000.00 executed by Thorlakson Diamond T Feeders, LP (the “August 20, 2024 Note”)
- N. Letter dated May 22, 2023 extending the availability period and the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to July 1, 2023
- O. Letter dated June 20, 2023 extending the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to September 1, 2023
- P. Letter dated August 22, 2023 extending the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to October 1, 2023
- Q. Letter dated September 26, 2023 extending the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to November 1, 2023
- R. Letter dated October 25, 2023 extending the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to December 1, 2023
- S. Letter dated November 22, 2023 extending the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to January 1, 2024
- T. Letter dated December 19, 2023 extending the maturity date of the March 8, 2022 Note regarding the \$7,500,000.00 revolving line of credit to February 1, 2024
- U. Letter dated April 22, 2024 extending the maturity date of the January 25, 2024 Note regarding the \$4,625,000.00 revolving line of credit to July 1, 2024
- V. Letter dated June 25, 2024 extending the maturity date of the January 25, 2024 Note regarding the \$4,625,000.00 revolving line of credit to October 1, 2024
- W. Security Agreement entered into by and between Thorlakson Diamond T Feeders, LP and AgTexas Farm Credit Services on January 25, 2021

Thorlakson’s Proof of Claim contains numerous exhibits and is therefore incorporated by reference.

Thorlakson & AgTexas reserve the right to offer any exhibit designated by other parties and present exhibits for rebuttal or impeachment purposes and to offer any documents or pleadings filed in this bankruptcy proceeding.

Thorlakson reserves the right to supplement or amend this list any time prior to the hearing.

Respectfully submitted,

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By: /s/ Kerry L. Haliburton  
Kerry L. Haliburton

**ATTORNEYS FOR AGTEXAS FARM CREDIT  
SERVICES, AGTEXAS, PCA AND  
THORLAKSON DIAMOND T FEEDERS, LP**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served via electronic and/or U.S. Mail on September 6, 2024 upon all parties entitled to such notice as provided by the ECF filing system and via first class mail to all creditors.

/s/ Kerry L. Haliburton  
Kerry L. Haliburton